IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 13101 of 2004

Between:

1 MESCO Vocational Junior College, rep. by its Principal Mohammed Iftekaruddin, Under the Management of MESCO, Darushifa, Hyderabad.
2 Azam Vocational Junior College, rep. by its Secretary/ Correspondent, Cr. Mohammed Yousuf Azam, under the Management of Azam Educational Society, Hussaini Alam, Hyderabad.
3 Limra Vocational Junior College, rep. by its Executive Director, Mohammed Aliuddin, under the Management of Limra Educational Society, Tolichowki, Hyderabad.

..... PETITIONERS

AND

1 Board of Intermediate Education, rep. by its Director/Secretary, Nampally, Hyderabad.
2 The Government of Andhra Pradesh, rep. by its Principal Secretary, Higher Education, Secetariat Buildings, Hyderabad. **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus, declare Memo No.7405/K2/2002, dated 22-12-2003 and also declaring the proceedings in Rc.No. 2307/VI-1/2003, dated 30-5-2004, issued by the 1st respondent, a signed on 2-7-2004, as being arbitrary, illegal, irrational, unreasonable, violative of the principles of natural justice and set aside the same. (Prayer is amended as per Court's Order dated 20-01-2005 in W.P.M.P.No.27029 of 2004).

Counsel for the Petitioners: MR.C.V.MOHAN REDDY

Counsel for the Respondent No.1: MR.S.S.PRASAD

Counsel for the Respondent No.2: GP FOR EDUCATION

The Court made the following:

HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT PETITION No.13101 of 2004

ORDER:

This writ petition is filed with a prayer to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring the proceedings in RC.No.2307/VI-1/2003, dated 30-05-2004 issued by 1st respondent-Board of Intermediate Education, Hyderabad, as being arbitrary, illegal, irrational, unreasonable and violative of the principles of natural justice.

2. When the W.P.M.P.No.13320 of 2005 camp up for hearing, both the parties consented for disposal of the writ petition itself. Hence, the writ petition is taken up for hearing and is being disposed of by this order.

3. Heard the learned counsel for the petitioners-Colleges and the learned Government Pleader for Education, appearing for 1st respondent and also the learned Government Pleader for Higher Education, appearing for 2nd respondent.

4. The petitioners-Colleges received applications for certain Vocational Courses (Dental Hygienist, Dental Technician, Multi Purpose Health Workers-Male, Hospital Administration and Clinical Assistants), which have been

discontinued by 1st respondent-Board of Intermediate Education from the year 2004-2005. It is the contention of the petitioners-Colleges that before they received the notice of discontinuance of the courses, they had completed admission of the students in the said courses for the year 2004-05. Interim orders have been passed in W.P.M.P.No.808 of 2004, dated
25-01-2005, directing respondents to issue Hall Tickets to the students of the petitioners-colleges and permit the students to appear for the examination. The petitioners-Colleges have not admitted the students for the academic year 2005-06.

5. The learned counsel for the petitioners-Colleges informs the Court that the petitioners-Colleges will not admit the students in the courses, which have been discontinued from the academic year 2005-2006 onwards till they obtain necessary permission from the respondents.

6. Hence, without expressing any opinion on the merits, I deem it appropriate to dispose of the Writ Petition with direction to the 1st respondent to release the results of the students who appeared for the examination in pursuance of the interim orders passed by this Court. The petitioners shall not proceed with the admission of the students in the discontinued courses from the year 2005-06 onwards without obtaining permission from the respondents.

7. With the above observations, the writ petition is disposed of. No order as to costs.

June 14, 2005

Note:-

Issue C.C. in seven days.

B/o. KVR

To

1 The Director/Secretary, Board of Intermediate Education,
Nampally, Hyderabad.
2 The Principal Secretary, Government of Andhra Pradesh,
Higher Education, Secretariat Buildings,
Hyderabad.

3 Two C.Ds to the GP for Education, High Court of AP
Buildings, High Court of AP, Hyderabad (O.U.T.)

4 Two C.D.Copies.